

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MEMORANDUM ON STATUS OF COMPLAINT

Mark N. Fellenz
PLAINTIFF

V.

Enkata Technologies
DEFENDANT

CIVIL ACTION

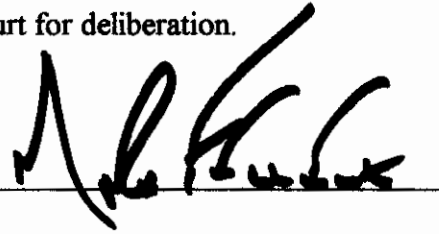
NO. 04•10563 PBS

MEMORANDUM

1. As of this date, December 15, 2005, this matter has not been settled according to the terms set forth and agreed to in Mediation on October 17, 2005. Plaintiff has – for well over a month – voiced concern over a singular point that was presented, discussed, and agreed to in Mediation but which has yet to be reflected in any written Settlement Agreement. Plaintiff has steadily and repeatedly voiced concern on the above-mentioned singular point to Plaintiff's Pro Bono Counsel (Court-appointed for the purposes of Mediation only), yet no result of Plaintiff's actions has been observed whatsoever.
2. Plaintiff will make expeditious efforts over the next week to move this matter forward (and in a positive direction). In the meantime, Plaintiff asks of the Court to not consider this matter settled.
3. In closing, Plaintiff continues to prefer to settle this matter, only that it be per the terms proposed, discussed, and agreed to in Mediation, no more no less.

4. As a matter of last resort, and in the event and for whatever reason this matter is not expeditiously concluded as a result of Mediation, Plaintiff asks of the Court to not make ruling or decision that would limit Plaintiff's rights to return this matter to the Court for deliberation.

Signature

A handwritten signature in black ink, appearing to read 'Mark Fellenz', written over a horizontal line.

Name

MARK FELLEENZ, PRO SE

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